

10-06-05

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
JPP-1230CIP3B

In Re Application Of: **Ajit Karmaker, Larry A. Lopez, Bruce Alpert, Bruce A. Finnigan**

OCT 05 2005

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

Confirmation No.

10/633,612

August 1, 2003

Carey E. O'Connor

34214

3732

4802

Title: **Endodontic Post and Obturating System**

Address to:

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

10/07/2005 HLE333 00000039 500718 10633612

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10/633,612	August 1, 2003	Carey E. O'Connor	34214	3732	4802

Title: Endodontic Post and Obturating System

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-0718 as described below.
- ☒ Charge the amount of \$180.00
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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Signature

Dated: October 5, 2005

Ann M. Knab
Reg. No. 33, 331

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Ajit Karmaker, Larry A. Lopez, Bruce Alpert, Bruce A. Finnigan

Docket No.

JPP-1230CIP3B

Application No.

10/633, 612

Filing Date

August 1, 2003

Examiner

Carey E. O'Connor

Customer No.

34214

Group Art Unit

3732

Endodontic Post and Obturating System

I hereby certify that the following correspondence:

Transmittal of Information Disclosure Statement (in duplicate); Information Disclosure Citation with references;
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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 5, 2005*(Date)*Suzanne McHugh*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EV 417 268 049US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				ATTY DOCKET NO. JPP-1230CIP3B		APPLICATION NO. 10/633.612	
				APPLICANT(S) Karmaker et al.			
				FILING DATE August 1, 2003		GROUP ART UNIT 3732	

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 OCT 05 2005
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	Re 34,439	11/9/1993	Heath				
	Re 35, 264	6/4/1996	Bennett				
	1,312,120	8/5/1919	Hurt				
	4,425,094	1/10/1984	Tateosian et al.				
	4,505,675	3/19/1985	Albert				

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	US 2004/0248067 A1	12/9/2004	Lopez et al.				
	US 2004/0115589 A1	6/17/2004	Karmaker et al.				
	US 2003/0124483 A1	7/3/2003	Jia et al.				
	US 2003/0113686 A1	6/19/2003	Jia et al.				

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 93/14714	8/5/1993	PCT			✓	
		WO 2004/037214 A1	5/6/2004	PCT			✓	
		WO 00/67659	11/16/2000	PCT			✓	
		WO 02/078646	10/10/2002	PCT			✓	
		EP 0 539 751 A1	5/15/1993	Europe			✓	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
			PCT Written Opinion with date of mailing January 26, 2001.
			Notification of Transmittal of the International Preliminary Examination Report with date of mailing January 24, 2005.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. JPP-1230CIP3B	APPLICATION NO. 10/633,612
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	FILING August 1, 2003	GROUP ART 3732

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,518,356	5/21/1985	Green			
	4,538,989	9/13/1985	Apairo, Jr. et al.			
	4,682,949	7/28/1987	Warrin			
	4,721,735	1/26/1988	Bennett et al.			
	4,740,245	4/26/1988	Futami et al.			

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	US 2004/0265783 A1	12/30/2004	Karmaker et al.			
	US 2002/0198283 A1	12/26/2002	Imai et al.			
	US 2003/0045604 A1	3/6/2003	Klee			
	US 2002/0147249 A1	10/10/2002	Klee et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

			PCT Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration with date of mailing April 1, 2005.
			PCT International Search Report with date of mailing November 6, 2003.

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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,746,292	5/24/1988	Johnson			
		4,758,156	7/19/1988	Johnson			
		4,758,156C1	11/5/2002	Johnson - Reexam Certificate			
		4,801,528	1/3/1989	Bennett			
		4,820,152	4/11/1989	Warrin et al.			
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		US 2002/0072035 A1	6/13/2002	Hickok			
		US 2002/0142261 A1	10/3/2002	Van Den Houdt			
		US 2005/0069836 A1	3/31/2005	Jia et al.			
		US 2005/0066854 A1	3/31/2005	Jia et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		PCT Written Opinion with date of mailing June 15, 2004.					
		PCT Written Opinion with date of mailing November 5, 2004.					
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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,871,312	10/3/1989	Heath			
		4,882,407	11/21/1989	Riazi			
		4,934,934	6/19/1990	Arpaio, Jr. et al.			
		4,936,775	6/26/1990	Bennett			
		4,950,697	8/21/1990	Chang et al.			

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		US 2004/0249015 A1	12/9/2004	Jia et al.			
		US 2003/0207960 A1	11/6/2003	Jia			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>			
			Product Information for TONE P757 POLYMER, Form No. 321.00050, Dow Chemical Company, December 2001.
			Product Information for TONE P767 POLYMER, Form No. 321-00051, Dow Chemical Company, Decmeber 2001.

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	Karmaker et al.	
	FILING August 1, 2003	GROUP ART 3732

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,966,952	10/30/1990	Riaza			
		4,986,754	1/22/1991	Chang et al.			
		5,106,298	4/21/1992	Heath et al.			
		5,149,268	9/22/1992	Johnson			
		5,161,973	11/10/1992	Johnson			

U.S. PATENT APPLICATION PUBLICATIONS							
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FOREIGN PATENT DOCUMENTS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>			
			Product Information for TONE P787, POLYMER, Form No. 321-00052, Dow Chemical company, December 2001.
			Shipper G., Orstavik D., Teixeira FB., Trope M., "An Evaluation of Microbial Leakage in Roots Filled with a Thermoplastic Synthetic Polymer-Based Root Canal Filling Material(Resilon), Jurnal of Endodontics, Vol. 30, No. 5, May 2004, pgs. 342-347.

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U.S. PATENT DOCUMENTS							
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		5,190,702	3/2/1993	Johnson			
		5,302,129	4/12/1994	Heath et al.			
		5,380,200	1/10/1995	Heath et al.			
		5,395,240	3/7/1995	Paschke et al.			
		5,415,547	5/16/1995	Torabinejad et al.			

U.S. PATENT APPLICATION PUBLICATIONS							
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FOREIGN PATENT DOCUMENTS								
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							YES	NO

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>			
			Teixeira FB., Teixeira ECN, Thompson JY, Trope M., "Fracture Reistance of Roots Endodontically Treated with a New Resin Filling Material", JADA 2004; 135:646-652.
			Nahmias Y., Serota KS, Watson, Jr. WR, "Predictable Endodontic Success: Part II--Microstructural Replication", Oral Health Journal, December 2003.

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	Karmaker et al.	
	FILING August 1, 2003	GROUP ART 3732

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,464,362	11/7/1995	Heath et al.			
		5,518,399	5/21/1996	Sicurelli, Jr. et al.			
		5,527,205	6/18/1996	Heath et al.			
		5,540,766	7/30/1996	Castallani			
		5,605,460	2/25/1997	Heath et al.			

U.S. PATENT APPLICATION PUBLICATIONS							
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FOREIGN PATENT DOCUMENTS								
*	EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>			
	*	EXAMINER INITIAL	Mounce R, Glassman G, "Bonded Endodontic Obturation: Another Quantum Leap Forward for Endodontics", Oral Health Journal, July 2004.
			Chivian N, "Resilon -- The Missing Link in Sealing the Root Canal", Compendium, Vol. 25, No. 10A, October 2004, pgs. 823-825.

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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,624, 259	4/29/1997	Heath et al.			
		5,624,976	4/29/1997	Klee			
		5,628,674	5/13/1997	Heath et al.			
		5,648,403	7/15/1997	Martin			
		5,653,590	8/15/1997	Heath et al.			

U.S. PATENT APPLICATION PUBLICATIONS							
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							YES	NO

OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>			
			Barnett F, Trope M, "Adhesive Endodontics: Combining Technologies for Enhanced Success:, Dentaltown, Vol. 5, Issue 8, August 2004, pgs. 34-38.
			Goff S, "Easier Endo, A DPR survey report", Dental Products Report, September 2004, pgs. 14-20.

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,655,950	8/12/1997	Heath et al.			
	5,713,736	2/3/1998	Heath et al.			
	5,741,139	4/21/1998	Sicurelli, Jr. et al.			
	5,762,497	6/9/1998	Heath			
	5,762,541	6/9/1998	Heath et al.			

U.S. PATENT APPLICATION PUBLICATIONS

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FOREIGN PATENT DOCUMENTS

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							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

			Shipper G, Teixeira FB, Arnold RR, Trope M, "periapical Inflammation after Coronal Microbial Inoculation of Dog Roots Filled with Gutta-Percha or Resilon", Jurnal of Endodontics, Vol. 31, No. 2, February 2005, pgs. 91-96.

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,769,638	6/23/1998	Torabinejad et al.			
	5,797,748	8/25/1998	Reynaud et al.			
	5,807,106	9/15/1998	Heath			
	5,816,816	10/6/1998	Scharf			
	5,915,970	6/29/1999	Sicurelli, Jr. et al.			

U.S. PATENT APPLICATION PUBLICATIONS

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	August 1, 2003	3732	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,921,775	7/13/1999	Buchanan			
		5,925,179	7/20/1999	Mannschedel			
		5,941,760	8/24/1999	Heath et al.			
		6,024,569	2/15/2000	Ohne et al.			
		6,074,209	6/13/2000	Johnson			

U.S. PATENT APPLICATION PUBLICATIONS							
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,106,296	8/22/2000	Johnson			
		6,120,294	9/19/2000	Engelbrecht et al.			
		6,126,446	10/3/2000	Mannschedel			
		6,162,056	12/19/2000	Mannschedel			
		6,186,791	2/13/2001	Karmaker et al.			

U.S. PATENT APPLICATION PUBLICATIONS							
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	6,220,863	4/24/2001	Kamohara et al.			
	6,224,377	5/1/2001	Lieland et al.			
	6,261,099	7/17/2000	Senia et al.			
	6,264,471	7/24/2001	Martin			
	6,267,597	7/31/2001	Kim			

U.S. PATENT APPLICATION PUBLICATIONS

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		6,287,122	9/11/2001	Seeram et al.			
		6,293,795	9/5/2001	Johnson			
		6,371,763	4/16/2002	Sicurelli Jr., et al.			
		6,455,608	9/24/2002	Jia et al.			
		6,461,420	10/8/2002	Ikuta			

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS	<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. JPP-1230CIP3B	APPLICATION NO. 10/633,612
	Karmaker et al.	
	FILING August 1, 2003	GROUP ART 3732

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,472,454	10/29/2002	Qian			
		6,537,563	3/25/2003	Jia et al.			
		6,566,418	5/20/2003	Imai et al.			
		6,568,937	5/27/2003	Kamohara et al.			
		6,787,584	9/7/2004	Jia et al.			

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER	DATE CONSIDERED
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INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. JPP-1230CIP3B		APPLICATION NO. 10/633.612	
				APPLICANT(S) Karmaker et al.			
				FILING DATE August 1, 2003		GROUP ART UNIT 3732	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,214,048	4/10/2001	Ito et al.			
		5,756,559	5/26/1998	Blackwell et al.			
		4,505,676	3/19/1985	Gosner			
		5,088,927	2/18/1992	Lee			
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
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EXAMINER				DATE CONSIDERED			

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